

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:

Hassan M. Ahmad,
Debtor

SHAMSIYA SHERVANI,
Plaintiff,

vs.
HASSAN M. AHMAD, *et al*
Defendants

)
)
) Bankr. Case No. 14-14380-RGM
) Chapter 13
)
)
)
) Adversary Proceeding
) No. 15-01001
)
)

**OPPOSITION TO MOTION TO STRIKE DEFENDANT'S
MOTION TO DISMISS OR FOR A MORE DEFINITIVE STATEMENT**

Hassan Ahmad, by counsel, hereby opposes Shamsiya Shervani's Motion to Strike Defendant's Motion to Dismiss or For a More Definitive Statement [DE#13 in Adversary Proceeding #15-08001-RGM] ("Motion to Strike"). The sole premise of the Motion to Strike is that there is no order permitting the employment of counsel for the Debtor in the Adversary Proceeding. It is true that the initial Motion to Employ a Professional was denied. However, an amended Motion to Employ Professional is set to be heard on March 11, 2015 [DE#'s 45-47 in Bankruptcy Case #14-14380-RGM].

There is no reason to strike Ahmad's Motion to Dismiss. Mr. DiMuro and his firm are the best-suited counsel to defend the adversary proceeding because he was defending Ahmad in the prior state court legal malpractice case which is the basis of the adversary proceeding. Mr. DiMuro did not want Ahmad to default on the adversary proceeding. He is not currently charging his client as there is no order permitting

employment of counsel.¹ Ahmad is entitled to counsel.

The Motion to Strike should be denied.

February 25, 2015

Respectfully submitted,

/s/ Bernard DiMuro
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Attorney for Hassan M. Ahmad

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of February, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing (NEF) to all counsel of record.

/s/ Bernard DiMuro
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¹ He reserves the possibility that he may seek retroactive fees if permitted by the Court.